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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

WALKER et al

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For: **DATA TRANSMISSION (as amended)**

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September 19, 2005

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

PRELIMINARY AMENDMENT

Prior to calculation of the filing fee and in order to place the above identified application in better condition for examination, please amend as follows:

AMENDMENTS TO THE TITLE

Please amend the title as follows:

~~DATA TRANSMISSION OVER A NETWORK HAVING INITIALLY
UNDETERMINED TRANSMISSION CAPACITY~~